



State Water Resources Control Board

Division of Drinking Water

June 5, 2017

Elaine Kennedy, President
Kern Valley Golf Course
P.O. Box 888
Kernville, CA 93238

RE: Total Coliform Maximum Contaminant Level Failure for May 2016 – Kern Valley Golf Course Water System, System No. 1502142 - Citation No. 03_19_17C_022

Dear Ms. Kennedy,

The State Water Resources Control Board (hereinafter State Board), Division of Drinking Water has issued Citation No. 03_19_17C_022, for failure to comply with the provisions of the California Health & Safety Code and Title 22, California Code of Regulations. Specifically, the Kern Valley Golf Course Water System (hereinafter "Water System") failed the total coliform maximum contaminant level (MCL) for the month of May 2016.

The California Safe Drinking Water Act, Section 116577, provides for the State Board to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, the Water System has been billed for the preparation and issuance of this citation. The State Board's current billing rate for enforcement activities is \$161 per hour. At this time, the State Board has spent approximately one (1) hour on enforcement activities associated with this violation. The hourly rate is subject to review and change upon approval. You will receive a bill for these costs following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code, Section 116625) or Article 9 (commencing with Health and Safety Code, Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code, Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact our office at (661) 335-7315 or via email at dwpdist19@waterboards.ca.gov.

Sincerely,



Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosure: Citation No. 03_19_17C_022

Certified Mail No. 7015 0640 0006 0208 6733

cc: Kern County Dept. of Public Health, Environmental Health Division
Maria Black, Treasurer, Kern Valley Golf Course (via email)

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Kern Valley Golf Course Water System
Water System No. 1502142

Attn: Elaine Kennedy, President
Kern Valley Golf Course
P. O. Box 888
Kernville, CA 93238

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64426.1(b)(2) AND 64430 – May 2016**

C I T A T I O N N O. 03-19-17C-022

Issued on June 5, 2017

STATEMENT OF FACTS

Kern Valley Golf Course Water System (hereinafter Water System) is classified as a transient non-community water system and serves an average daily population (mainly transient) of approximately 35 through one service connection. The Water System has one active source of supply, Well 01 (Primary Station Code: 1502142-001), a 100-gallon pressure tank and distribution system. No treatment is currently provided to the water produced by the well. The Water System operates under the authority of Permit No. No. 03-12-099P-028, issued on November 8, 1999, by the Division of Drinking Water and Environmental Management, California Department of Public Health.

1 Section 116650 of the California Health and Safety Code authorizes the issuance of a
2 citation to a public water system for violation of the California Safe Drinking Water
3 Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with
4 Section 116270) (hereinafter "California SDWA") or any regulation, standard, permit
5 or order issued or adopted thereunder.

6
7 The State Water Resources Control Board (hereinafter State Board), acting by and
8 through its Division of Drinking Water and the Deputy Director for the Division of
9 Drinking Water (hereinafter "Deputy Director"), hereby issues a citation to the Kern
10 Valley Golf Course Water System (mailing address: P.O. Box 888, Kernville, CA
11 93238) for violations of the California Code of Regulations (CCR), Title 22, Section
12 64426, subsections (b)(2) and (c), and Section 64430.

13
14 A copy of the applicable statutes and regulations are included in **Attachment A**, which
15 is attached hereto and incorporated by reference.

- 16
- 17 • The Water System is required to collect one (1) routine bacteriological sample
18 per month from the distribution system. The Water System is also required to
19 collect one (1) sample every month from Well 01, due to its close proximity to
20 the Kern River.
 - 21 • One (1) bacteriological quality sample collected on May 17, 2016, from Well
22 01, tested positive for total coliform bacteria and *E.coli* bacteria. One (1)
23 routine sample collected on the same day, from the distribution system, tested
24 negative for total coliform bacteria.
 - 25 • Neither the Water System nor its contract laboratory notified the State Board of
26 the *E.coli* positive sample from Well 01 [**Section 64430, Authorities**].
- 27

- 1 • On May 19, 2016, the State Board learned of the *E.coli* positive sample from a
2 laboratory report, received from BC Laboratories through the mail. After
3 confirming the *E.coli* positive result, the State Board issued a Tier 1 Do Not
4 Drink Notice to the Water System, on May 19, 2016.
- 5 • Two (2) out of four (4) repeat samples collected on May 19, 2016, from the
6 distribution system, (analyzed by the Most Probable Number (MPN) test
7 method), tested positive for total coliform bacteria and negative for *E.coli*
8 bacteria.
- 9 • One (1) repeat sample (also counted towards the Ground Water Rule's
10 triggered source sampling requirement), collected on May 19, 2016, from Well
11 01, and analyzed by the MPN test method, tested negative for total coliform
12 bacteria.
- 13 • **Kern Valley Golf Course Water System failed the total coliform maximum**
14 **contaminant level (MCL) for May 2016 [Section 64426.1(b)(2),**
15 ***Authorities*].**
- 16 • Two (2) special bacteriological samples collected on May 27, 2016, from the
17 distribution system, tested negative for total coliform bacteria.
- 18 • Two (2) special bacteriological samples collected May 27, 2016, from Well 01,
19 tested negative for total coliform bacteria.
- 20 • Two (2) special bacteriological samples collected on May 31, 2016, from the
21 distribution system, tested negative for total coliform bacteria.
- 22 • Two (2) special bacteriological samples collected on May 31, 2016, from Well
23 01, tested negative for total coliform bacteria.
- 24 • On June 2, 2016, a blank Level 1 Assessment form was emailed to the Water
25 System by the State Board. The Level 1 Assessment form was completed by
26 Dennis Desmond of the Water System, and received by the State Board on the
27 same day. According to the Level 1 Assessment form, reasons for the total

coliform and *E.coli* positive samples were: lack of proper training to collect samples and lack of written procedures. No physical deficiencies were identified in the Level 1 Assessment form.

- On June 2, 2016, the State Board issued a Cancellation of Tier 1 Do Not Drink Notice to the Water System.
- Four (4) routine bacteriological samples collected on June 13, 2016, from the distribution system, tested negative for total coliform bacteria.
- Three (3) routine bacteriological samples collected on July 5, 2016, from the distribution system, tested negative for total coliform bacteria.
- All monthly routine distribution system samples collected from August 2016 to April 2017 have tested negative for total coliform bacteria.
- All monthly samples, collected from Well 01, from July 2016 to April 2017 have tested negative for total coliform bacteria.
- Results of all bacteriological samples collected from January 2016 to April 2017, are summarized in **Attachment B**.

DETERMINATION

Based upon the Statement of Facts and Authorities (**Attachment A**), the State Board has determined that the Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for May 2016 when more than one sample during the month of May 2016, tested positive for total coliform bacteria.
2. CCR, Title 22, Section 64430, Ground Water Rule Violation 141.405(a)-Code of Federal Regulations (CFR); Specifically, during the month of May 2016, one sample collected from the well tested positive for *E.coli* bacteria and the Water System failed to notify the public and the State Board of the *E.coli* positive sample.

1 The above violations are classified as non-continuing violations.

2
3 **DIRECTIVES**

4 Kern Valley Golf Course Water System is hereby directed to take the following
5 actions:

- 6
7 1. Cease and desist from failing to comply with Section 116555(a) of the
8 California Health and Safety Code (CHSC) and Sections 64426.1(b)(2) and
9 64430 of Title 22, California Code of Regulations.
- 10 2. In the future, the Water System shall contact the State Board within 24 hours of
11 receiving an *E.coli* positive result from Well 01 or distribution system and
12 provide Tier 1 public notification to the persons served by the Water System.
- 13 3. The Water System shall reimburse the State Board, in accordance with an
14 invoice that shall be provided to the Water System, the costs for enforcement
15 activities, and such reimbursement shall be made prior to September 1 (or by a
16 different date if specified by the State Board) of the fiscal year following the
17 fiscal year in which such costs are incurred as described in CHSC Sections
18 116577(a)(1-2) and 116577(b).

19
20 The State Board reserves the right to make such modifications to this Citation as it
21 may deem necessary to protect public health and safety. Such modifications may be
22 issued as amendments to this Citation and shall be effective upon issuance.

23
24 Nothing in this Citation relieves the Water System of its obligation to meet the
25 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,
26 commencing with Section 116270), or any regulation, standard, permit or order issued
27 or adopted thereunder.

1
2 **PARTIES BOUND**

3 This Citation shall apply to and be binding upon the Water System and its owners,
4 shareholders, officers, directors, agents, employees, contractors, successors, and
5 assignees.

6
7 **SEVERABILITY**

8 The directives of this Citation are severable, and the Water System shall comply with
9 each and every provision thereof notwithstanding the effectiveness of any provision.

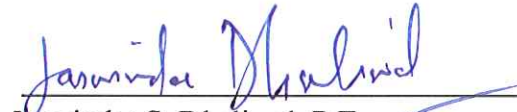
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11 **FURTHER ENFORCEMENT ACTION**

12 The California SDWA authorizes the State Board to: issue a citation with assessment
13 of administrative penalties to a public water system for violation or continued
14 violation of the requirements of the California SDWA or any regulation, permit,
15 standard, citation, or order issued or adopted thereunder including, but not limited to,
16 failure to correct a violation identified in a citation or compliance order. The
17 California SDWA also authorizes the State Board to take action to suspend or revoke a
18 permit that has been issued to a public water system if the public water system has
19 violated applicable law or regulations or has failed to comply with an order of the
20 State Board, and to petition the superior court to take various enforcement measures
21 against a public water system that has failed to comply with an order of the State
22 Board. The State Board does not waive any further enforcement action by issuance of
23 this Citation.

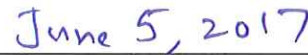
CIVIL PENALTY

Section 116650, subsections (d) and (e) of the H&S Code allow for the assessment of a civil penalty for the failure to comply with the requirements of the Safe Drinking Water Act.

Failure to comply with any Directive of this Citation may result in the State Board imposing an administrative penalty not to exceed one thousand dollars (\$1,000) per day for each day that the violation continues beyond the date set for correction in this Citation. The Cypress Canyon Water Association Water System has been billed at the current hourly rate since this is an enforcement action for noncompliance with the regulations.



Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
DRINKING WATER FIELD OPERATIONS BRANCH



Date

Certified Mail No. 7015 0640 0006 0208 6733

ATTACHMENTS

Attachment A: Applicable Statutes and Regulations
Attachment B: Summary of Bacteriological Samples Collected from January 2016 – April 2017

CC: Kern County Dept. of Public Health, Environmental Health Division (w/o attachment)
Maria Black, Treasurer, Kern Valley Golf Course (via email)

JSD/dc/na

ATTACHMENT A

APPLICABLE STATUTES AND REGULATIONS

AUTHORITIES - APPLICABLE STATUTES AND REGULATIONS

Section 116577 of the CHSC, states in relevant part:

“(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the CHSC, states in relevant part:

“(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.”

Section 116655 of the CHSC, states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426 establishes the significant rise in bacteriological count and states in relevant part:

- “(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:
- (1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive samples in the repeat sample set;
 - (2) A system has a sample which is positive for fecal coliform or *E. coli*; or
 - (3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in 64426.1.
- (b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:
- (2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:
 - (A) Current operating procedures that are or could potentially be related to the increase in bacterial count;
 - (B) Any interruptions in the treatment process;
 - (C) System pressure loss to less than 5 psi;
 - (D) Vandalism and/or unauthorized access to facilities;
 - (E) Physical evidence indicating bacteriological contamination of facilities;
 - (F) Analytical results of any additional samples collected, including source samples;
 - (G) Community illness suspected of being waterborne; and
 - (H) Records of the investigation and any action taken.”...

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

- “(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
 - (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
 - (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or
 - (4) Any repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1.”

CCR, Title 22, Section 64430 establishes Ground Water Rule requirements and states in relevant part:

A public water system that uses ground water shall comply with the following provisions of 40 Code of Federal Regulations as they appear in the Ground Water Rule published in 71 Federal Register 65574 (November 8, 2006) and amended in 71 Federal Register 67427 (November 21, 2006) and 74 Federal Register 30953 (June 29, 2009), which are hereby incorporated by reference: Sections 141.21(d)(3), 141.28(a), 141.153(h)(6), Appendix A to Subpart O (Consumer Confidence Reports), 141.202(a)(8), 141.203(a)(4), Appendices A and B to Subpart Q (Public Notification), and 141.400 through 141.405, except that in:

(a) sections 141.402(a)(1)(ii), (a)(2), (a)(2)(ii), (a)(4), (a)(4)(ii)(A), (a)(5)(i), and (a)(5)(ii), the phrase “§141.21(a)” is replaced by “22 California Code of Regulations sections 64422 and 64423”,

(b) sections 141.402(a)(1)(ii) and 141.405(b)(4), the phrase “§141.21(c)” is replaced by “22 California Code of Regulations section 64425”, and

(c) section 141.402(a)(2)(iii), the phrase “§141.21(b)” is replaced by “22 California Code of Regulations section 64424”.

[Note: The text reflecting the above section is provided in Addendum A of this book.]

§141.153. Content of the reports.

(h)(6) Systems required to comply with subpart S.

(i) Any ground water system that receives notice from the State of a significant deficiency or notice from a laboratory of a fecal indicator-positive ground water source sample that is not invalidated by the State under §141.402(d) must inform its customers of any significant deficiency that is uncorrected at the time of the next report or of any fecal indicator-positive ground water source sample in the next report. The system must continue to inform the public annually until the State determines that particular significant deficiency is corrected or the fecal contamination in the ground water source is addressed under §141.403(a). Each report must include the following elements.

(A) The nature of the particular significant deficiency or the source of the fecal contamination (if the source is known) and the date the significant deficiency was identified by the State or the dates of the fecal indicator-positive ground water source samples;

(B) If the fecal contamination in the ground water source has been addressed under §141.403(a) and the date of such action;

(C) For each significant deficiency or fecal contamination in the ground water source that has not been addressed under §141.403(a), the State-approved plan and schedule for correction, including interim measures, progress to date, and any interim measures completed; and

(D) If the system receives notice of a fecal indicator-positive ground water source sample that is not invalidated by the State under §141.402(d), the potential health effects using the health effects language of Appendix A of subpart O.

(ii) If directed by the State, a system with significant deficiencies that have been corrected before the next report is issued must inform its customers of the significant deficiency, how the deficiency was corrected, and the date of correction under paragraph (h)(6)(i) of this section.

Appendix A to Subpart O of Part 141 – Regulated Contaminants.

Contaminant	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major sources in drinking water	Health effects language
Microbiological Contaminants						
Fecal Indicators (enterococci or coliphage)	TT		TT	N/A	Human and animal fecal waste	Fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

TT = Treatment Technique

§141.202. Tier 1 Public Notice – Form, manner, and frequency of notice.

(a)...

Table 1 to §141.202—Violation Categories and Other Situations Requiring a Tier 1 Public Notice

(8) Detection of *E. coli*, enterococci, or coliphage in source water samples as specified in §141.402(a) and §141.402(b)

§141.402. Ground water source microbial monitoring and analytical methods.

(a) *Triggered source water monitoring* —

(1) *General requirements.* A ground water system must conduct triggered source water monitoring if the conditions identified in paragraphs (a)(1)(i) and (a)(1)(ii) of this section exist.

(i) The system does not provide at least 4-log treatment of viruses (using inactivation, removal, or a State-approved combination of 4-log virus inactivation and removal) before or at the first customer for each ground water source; and

(ii) The system is notified that a sample collected under 22 California Code of Regulations sections 64422 and 64423 is total coliform-positive and the sample is not invalidated under 22 California Code of Regulations section 64425.

(2) *Sampling requirements.* A ground water system must collect, within 24 hours of notification of the total coliform-positive sample, at least one ground water source sample from each ground water source in use at the time the total coliform-positive sample was collected under 22 California Code of Regulations sections 64422 and 64423, except as provided in paragraph (a)(2)(ii) of this section.

(i) The State may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the ground water source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the State must specify how much time the system has to collect the sample.

(ii) If approved by the State, systems with more than one ground water source may meet the requirements of this paragraph (a)(2) by sampling a representative ground water source or sources. If directed by the State, systems must submit for State approval a triggered source water monitoring plan that identifies one or more ground water sources that are representative of each monitoring site in the system's sample siting plan under 22 California Code of Regulations sections 64422 and 64423 and that the system intends to use for representative sampling under this paragraph.

(iii) A ground water system serving 1,000 people or fewer may use a repeat sample collected from a ground water source to meet both the requirements of 22 California Code of Regulations section 64424 and to satisfy the monitoring requirements of paragraph (a)(2) of this section for that ground water source only if the State approves the use of *E. coli* as a fecal indicator for source water monitoring under this paragraph (a). If the repeat sample collected from the ground water source is *E. coli* positive, the system must comply with paragraph (a)(3) of this section.

(3) *Additional requirements.* If the State does not require corrective action under §141.403(a)(2) for a fecal indicator-positive source water sample collected under paragraph (a)(2) of this section that is not invalidated under paragraph (d) of this section, the system must collect five additional source water samples from the same source within 24 hours of being notified of the fecal indicator-positive sample.

(4) *Consecutive and wholesale systems* —

(i) In addition to the other requirements of this paragraph (a), a consecutive ground water system that has a total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 must notify the wholesale system(s) within 24 hours of being notified of the total coliform-positive sample.

(ii) In addition to the other requirements of this paragraph (a), a wholesale ground water system must comply with paragraphs (a)(4)(ii)(A) and (a)(4)(ii)(B) of this section.

(A) A wholesale ground water system that receives notice from a consecutive system it serves that a sample collected under 22 California Code of Regulations sections 64422 and 64423 is total coliform-positive must, within 24 hours of being notified, collect a sample from its ground water source(s) under paragraph (a)(2) of this section and analyze it for a fecal indicator under paragraph (c) of this section.

(B) If the sample collected under paragraph (a)(4)(ii)(A) of this section is fecal indicator-positive, the wholesale ground water system must notify all consecutive systems served by that ground water source of the fecal indicator source water positive within 24 hours of being notified of the ground water source sample monitoring result and must meet the requirements of paragraph (a)(3) of this section.

(5) *Exceptions to the triggered source water monitoring requirements.* A ground water system is not required to comply with the source water monitoring requirements of paragraph (a) of this section if either of the following conditions exists:

(i) The State determines, and documents in writing, that the total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 is caused by a distribution system deficiency; or

(ii) The total coliform-positive sample collected under 22 California Code of Regulations sections 64422 and 64423 is collected at a location that meets State criteria for distribution system conditions that will cause total coliform-positive samples.

(b) *Assessment source water monitoring.* If directed by the State, ground water systems must conduct assessment source water monitoring that meets State-determined requirements for such monitoring. A ground water system conducting assessment source water monitoring may use a triggered source water sample collected under paragraph (a)(2) of this section to meet the requirements of paragraph (b) of this section. State-determined assessment source water monitoring requirements may include:

(1) Collection of a total of 12 ground water source samples that represent each month the system provides ground water to the public,

(2) Collection of samples from each well unless the system obtains written State approval to conduct monitoring at one or more wells within the ground water system that are representative of multiple wells used by that system and that draw water from the same hydrogeologic setting,

(3) Collection of a standard sample volume of at least 100 mL for fecal indicator analysis regardless of the fecal indicator or analytical method used,

(4) Analysis of all ground water source samples using one of the analytical methods listed in the in paragraph (c)(2) of this section for the presence of *E. coli*, enterococci, or coliphage,

(5) Collection of ground water source samples at a location prior to any treatment of the ground water source unless the State approves a sampling location after treatment, and

(6) Collection of ground water source samples at the well itself unless the system's configuration does not allow for sampling at the well itself and the State approves an alternate sampling location that is representative of the water quality of that well.

(c) *Analytical methods.*

(1) A ground water system subject to the source water monitoring requirements of paragraph (a) of this section must collect a standard sample volume of at least 100 mL for fecal indicator analysis regardless of the fecal indicator or analytical method used.

(2) A ground water system must analyze all ground water source samples collected under paragraph (a) of this section using one of the analytical methods listed in the following table in paragraph (c)(2) of this section or one of the alternative methods listed in appendix A to subpart C of this part for the presence of *E. coli*, enterococci, or coliphage:

Analytical Methods for Source Water Monitoring

Fecal indicator ¹	Methodology	Method citation
<i>E. coli</i>	Colilert ³	9223 B. ²
	Colisure ³	9223 B. ²
	Membrane Filter Method with MI Agar	EPA Method 1604. ⁴
	m-ColiBlue24 Test ⁵	
	E*Colite Test ⁶	
	EC-MUG ⁷	9221 F. ²
	NA-MUG ⁷	9222 G. ²
Enterococci	Multiple-Tube Technique	9230B. ²
	Membrane Filter Technique	9230C. ²
	Membrane Filter Technique	EPA Method 1600. ⁸
	Enterolert ⁹	
Coliphage	Two-Step Enrichment Presence-Absence Procedure	EPA Method 1601. ¹⁰
	Single Agar Layer Procedure	EPA Method 1602. ¹¹

Analyses must be conducted in accordance with the documents listed below. The Director of the Federal Register approves the incorporation by reference of the documents listed in footnotes 2–11 in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the documents may be obtained from the sources listed below. Copies may be inspected at EPA's Drinking Water Docket, EPA West, 1301 Constitution Avenue, NW., EPA West, Room B102, Washington DC 20460 (Telephone: 202–566–2426); or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to:

http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

¹The time from sample collection to initiation of analysis may not exceed 30 hours. The ground water system is encouraged but is not required to hold samples below 10 °C during transit.

²Methods are described in Standard Methods for the Examination of Water and Wastewater 20th edition (1998) and copies may be obtained from the American Public Health Association, 1015 Fifteenth Street, NW., Washington, DC 20005–2605.

³Medium is available through IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092.

⁴EPA Method 1604: Total Coliforms and *Escherichia coli* in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium); September 2002, EPA 821–R–02–024. Method is available at <http://www.epa.gov/nrlcwww/1604sp02.pdf> or from EPA's Water Resource Center (RC–4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

⁵A description of the m-ColiBlue24 Test, “Total Coliforms and *E. coli* Membrane Filtration Method with m-ColiBlue24® Broth,” Method No. 10029 Revision 2, August 17, 1999, is available from Hach Company, 100 Dayton Ave., Ames, IA 50010 or from EPA's Water Resource Center (RC–4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

⁶A description of the E*Colite Test, "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and *Escherichia coli* in Drinking Water, January 9, 1998, is available from Charm Sciences, Inc., 659 Andover St., Lawrence, MA 01843-1032 or from EPA's Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

⁷EC-MUG (Method 9221F) or NA-MUG (Method 9222G) can be used for *E. coli* testing step as described in §141.21(f)(6)(i) or (ii) after use of Standard Methods 9221 B, 9221 D, 9222 B, or 9222 C.

⁸EPA Method 1600: Enterococci in Water by Membrane Filtration Using membrane-Enterococcus Indoxyl-β-D-Glucoside Agar (mEI) EPA 821-R-02-022 (September 2002) is an approved variation of Standard Method 9230C. The method is available at <http://www.epa.gov/nerlcwww/1600sp02.pdf> or from EPA's Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The holding time and temperature for ground water samples are specified in footnote 1 above, rather than as specified in Section 8 of EPA Method 1600.

⁹Medium is available through IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092. Preparation and use of the medium is set forth in the article "Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," by Budnick, G.E., Howard, R.T., and Mayo, D.R., 1996, Applied and Environmental Microbiology, 62:3881-3884.

¹⁰EPA Method 1601: Male-specific (F+) and Somatic Coliphage in Water by Two-step Enrichment Procedure; April 2001, EPA 821-R-01-030. Method is available at <http://www.epa.gov/nerlcwww/1601ap01.pdf> or from EPA's Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

¹¹EPA Method 1602: Male-specific (F+) and Somatic Coliphage in Water by Single Agar Layer (SAL) Procedure; April 2001, EPA 821-R-01-029. Method is available at <http://www.epa.gov/nerlcwww/1602ap01.pdf> or from EPA's Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

(d) Invalidation of a fecal indicator-positive ground water source sample .

(1) A ground water system may obtain State invalidation of a fecal indicator-positive ground water source sample collected under paragraph (a) of this section only under the conditions specified in paragraphs (d)(1)(i) and (ii) of this section.

(i) The system provides the State with written notice from the laboratory that improper sample analysis occurred; or

(ii) The State determines and documents in writing that there is substantial evidence that a fecal indicator-positive ground water source sample is not related to source water quality.

(2) If the State invalidates a fecal indicator-positive ground water source sample, the ground water system must collect another source water sample under paragraph (a) of this section within 24 hours of being notified by the State of its invalidation decision and have it analyzed for the same fecal indicator using the analytical methods in paragraph (c) of this section. The State may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the State must specify how much time the system has to collect the sample.

(e) Sampling location.

(1) Any ground water source sample required under paragraph (a) of this section must be collected at a location prior to any treatment of the ground water source unless the State approves a sampling location after treatment.

(2) If the system's configuration does not allow for sampling at the well itself, the system may collect a sample at a State-approved location to meet the requirements of paragraph (a) of this section if the sample is representative of the water quality of that well.

(f) New sources. If directed by the State, a ground water system that places a new ground water source into service after November 30, 2009, must conduct assessment source water monitoring under paragraph (b) of this section. If directed by the State, the system must begin monitoring before the ground water source is used to provide water to the public.

(g) Public notification. A ground water system with a ground water source sample collected under paragraph (a) or (b) of this section that is fecal indicator-positive and that is not invalidated under

paragraph (d) of this section, including consecutive systems served by the ground water source, must conduct public notification under §141.202.

(h) *Monitoring violations.* Failure to meet the requirements of paragraphs (a)–(f) of this section is a monitoring violation and requires the ground water system to provide public notification under §141.204.

Section 141.405 establishes reporting and recordkeeping guidelines for ground water systems and states in relevant part:

(a) *Reporting.* In addition to the requirements of §141.31, a ground water system regulated under this subpart must provide the following information to the State:

(1) A ground water system conducting compliance monitoring under §141.403(b) must notify the State any time the system fails to meet any State-specified requirements including, but not limited to, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The ground water system must notify the State as soon as possible, but in no case later than the end of the next business day.

(2) After completing any corrective action under §141.403(a), a ground water system must notify the State within 30 days of completion of the corrective action.

(3) If a ground water system subject to the requirements of §141.402(a) does not conduct source water monitoring under §141.402(a)(5)(ii), the system must provide documentation to the State within 30 days of the total coliform positive sample that it met the State criteria.

(b) *Recordkeeping.* In addition to the requirements of §141.33, a ground water system regulated under this subpart must maintain the following information in its records:

(1) Documentation of corrective actions. Documentation shall be kept for a period of not less than ten years.

(2) Documentation of notice to the public as required under §141.403(a)(7). Documentation shall be kept for a period of not less than three years.

(3) Records of decisions under §141.402(a)(5)(ii) and records of invalidation of fecal indicator-positive ground water source samples under §141.402(d). Documentation shall be kept for a period of not less than five years.

(4) For consecutive systems, documentation of notification to the wholesale system(s) of total-coliform positive samples that are not invalidated under 22 California Code of Regulations section 64425. Documentation shall be kept for a period of not less than five years.

(5) For systems, including wholesale systems that are required to perform compliance monitoring under §141.403(b):

(i) Records of the State-specified minimum disinfectant residual. Documentation shall be kept for a period of not less than ten years.

(ii) Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the State-prescribed minimum residual disinfectant concentration for a period of more than four hours. Documentation shall be kept for a period of not less than five years.

(iii) Records of State-specified compliance requirements for membrane filtration and of parameters specified by the State for State-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation shall be kept for a period of not less than five years.

ATTACHMENT B

SUMMARY OF BACTERIOLOGICAL QUALITY RESULTS JANUARY 2016 – APRIL 2017

Kern Valley Golf Course

1502142

Distribution System Freq: 1/M

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	Cl2	Violation	Comment
1/12/2016	9:00	Faucet	A	A		Routine			
2/1/2016		No Sample Collect						MR1	Enf Ltr. 03_19_16E_004 issued 3/9/2016.
3/3/2016	7:30	Faucet	A	A		Routine			
4/4/2016	8:00	Faucet	A	A		Routine			
5/17/2016	8:30	Faucet	A	A		Routine			
5/19/2016	12:00	Kitchen Faucet	<1	<1		Repeat			
5/19/2016	12:00	N outside faucet	<1	<1		Repeat			
5/19/2016	12:00	SW outside faucet	<1	<1		Repeat			
5/19/2016	13:00	Ice Machine	1.0	<1		Repeat		MCL	Cit #03_19_17C_022 issued.
5/23/2016	13:00	Kitchen faucet	1.0	<1		Repeat			
5/27/2016	10:00	Ice Machine	<1	<1		Repeat			
5/27/2016	10:00	Kitchen Faucet	<1	<1		Repeat			
5/31/2016	14:30	Ice Machine	A	A		Other			
5/31/2016	14:30	Kitchen Faucet	A	A		Other			
6/13/2016	8:30	Ice Machine	A	A		Routine			
6/13/2016	8:30	Kitchen	A	A		Routine			
6/13/2016	8:30	N Faucet	A	A		Routine			
6/13/2016	8:30	S Faucet	A	A		Routine			
7/5/2016	8:30	Faucet	A	A		Routine			
7/5/2016	8:30	Faucet North	A	A		Routine			
7/5/2016	8:30	Kitchen	A	A		Routine			
8/12/2016	8:30	Faucet	A	A		Routine		MR1	Sample reported late - Citation No. 03-19-16C-045 issued on 10/7/2016.
9/15/2016	8:30	Faucet	A	A		Routine			
10/7/2016	7:00	Faucet	A	A		Routine			
11/1/2016	8:35	Faucet	A	A		Routine			
12/7/2016	9:05	Faucet	A	A		Routine			
1/4/2017	8:00	Faucet	A	A		Routine			
2/1/2017	9:10	Faucet	A	A		Routine			
3/1/2017	7:15	Faucet	A	A		Routine			
4/5/2017	9:00	Faucet	A	A		Routine			

Kern Valley Golf Course

1502142

Source Monitoring Freq: 1/M

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
1/12/2016	9:00	Well	A	A			
3/3/2016	7:30	Well	A	A			
4/4/2016	8:00	Well	A	A			
5/17/2016	8:30	Well	P	P			GWR Viol.-SWRCB n
5/23/2016	13:00	Well (S Outside Faucet)	<1	<1			Repeat sample
5/23/2016	13:00	Well (N Outside Faucet)	<1	<1			Repeat sample
5/27/2016	10:00	Well (Faucet North)	<1	<1			
5/27/2016	10:00	Well (Faucet South)	<1	<1			
5/31/2016	14:30	Well (Faucet North)	A	A			
5/31/2016	14:36	Well (Faucet South)	A	A			
7/5/2016	8:30	Well	A	A			
9/15/2016	9:30	Well	A	A			
10/7/2016	7:00	Well	A	A			
11/1/2016	8:30	Well	A	A			
12/7/2016	9:00	Well	A	A			
1/4/2017	8:05	Well	A	A			
2/1/2017	9:10	Well	A	A			
3/1/2017	7:00	Well	A	A			
4/5/2017	9:00	Well	A	A			